FIFTY-SECOND DAY

(Continued)

Thursday, April 27, 1967

After Recess

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 410, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PARKHOUSE, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 538, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PARKHOUSE, Chairman.

Senator Cole by unanimous consent submitted the following report:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 94, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Senator Moore by unanimous consent submitted the following report:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 36, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Christie by unanimous consent submitted the following reports:

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 276, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 753, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 408, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred S. B. No. 82, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended (3 amendments) and be printed.

CHRISTIE, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 837, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman. WORD CHRISTIE

Senator Christie by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 722, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman. SCHWARTZ BROOKS HERRING

> Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 1207, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman. SCHWARTZ BROOKS HERRING

Senator Patman by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 727, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 252, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred S. B. No. 304, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with amendments and be printed.

PATMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred S. B. No. 430, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with amendments and be printed.

PATMAN, Chairman.

Senator Word by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on

Legislative, Congressional and Judi-recommendation that it do pass and cial Districts, to which was referred S. B. No. 567, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WORD, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred S. B. No. 261, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WORD, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred S. B. No. 330, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WORD, Chairman.

Senator Kennard by unanimous consent submitted the following reports:

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 559, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman.

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 652, have had the same under consideration, and I am instructed to Hon. Preston Smith, President of the report it back to the Senate with the

be printed.

KENNARD, Chairman.

Austin, Texas, April 26, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 766, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman.

Austin, Texas. April 26, 1967.

Hon. Preston Smith. President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 169, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman.

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 29, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 325, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Senate.

Affairs, to which was S. B. No. 310, have had the same be printed. under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 531, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 528, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 527, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Cole by unanimous consent submitted the following report:

> Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 470, have had the same under consideration, and we are instructed to!

Sir: We, your Committee on State report it back to the Senate with the referred recommendation that it do pass and

> COLE, Chairman REAGAN

House Bill 837 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 837 was ordered not printed.

Senate Concurrent Resolution 58

Senator Blanchard by unanimous consent offered the following resolution:

S. C. R. No. 58, Directing the Enrolling Clerk of the Senate to make certain corrections in Senate Bill No.

Whereas, Senate Bill No. 272 has passed the House and the Senate; and

Whereas, The Emergency Clause of the bill is not complete; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Enrolling Clerk of the Senate be instructed to change the period to a comma and add the following language at the end of Sec. 3 of the bill:

"and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The resolution was read.

On motion of Senator Blanchard and by unanimous consent the resolution was considered immediately and was adopted by the following vote:

Yeas-31

Aikin Hightower Bates Jordan Lernal Kennard Berry Mauzy Blanchard Moore BrooksParkhouse Christie Patman Cole Ratliff Connally Reagan Creighton Schwartz Grover Strong Hall Wade Hardeman Watson Harrington Wilson Hazlewood Word Herring

Message From the House

Hall of the House of Representatives
Austin, Texas,

April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

- S. B. No. 62, A bill to be entitled "An Act authorizing the construction of improvements at certain institutions of The University of Texas System in Dallas, Houston, and Galveston, Texas; providing for a method of payment; and declaring an emergency."
- S. B. No. 211, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to sell or lease any part or all of that certain property described in the deed from George W. Brackenridge to The University of Texas, dated June 17, 1910; providing a method of sale and for the disposition of funds received from said sales; and declaring an emergency."
- S. B. No. 302, A bill to be entitled "An Act relating to reports of certain eye injuries in the schools; amending Chapter 58, Acts of the 59th Legislature, Regular Session, 1965 (Article 2919i, Vernon's Texas Civil Statutes); and declaring an emergency."

The House has concurred in Senate amendments to H. B. No. 1080 by vote of 139 ayes, 0 noes.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 56 With House Amendment

Senator Brooks called S. C. R. No. 56 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment 1

Amend Senate Concurrent Resolution No. 56 by striking the resolving clause and substituting the following:

"Resolved by the Senate, the House bills and resolution:

of Representatives concurring, That the Enrolling Clerk be and is hereby directed to correct the enrolled copy of Senate Bill No. 210 by deleting "Chapter 358, Acts of the 50th Legislature, 1947" wherever it appears in the bill and substituting "Chapter 358, Acts of the 48th Legislature, 1943".

The House amendment was read.

Senator Brooks moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 475 With House Amendments

Senator Brooks called S. B. No. 475 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend Senate Bill 475 by adding the following sentence at the end of Section 1 thereof:

"Provided however, the exemption provided for in this Section shall apply only to the property of such corporation which is actually used for the purposes specified herein.

"If at anytime such non-profit educational corporation shall in any fiscal year become self-sustaining from all sources of income other than gifts, grants and donations then this Act shall be null and void."

Amendment 2

In regard to Senate Bill No. 475 amend the caption to conform with the body of the bill.

The House amendments were read.

Senator Brooks moved that the Senate concur in the House amendments.

The motion prevailed.

Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

- S. J. R. No. 3, Proposing an amendment to Subsection (a) of Section 62, Article XVI of the Constitution of Texas, relating to establishment of a retirement, disability and death compensation fund for officers and employees of the State, so as to create as an agency of the State of Texas the Employees Retirement System of Texas, etc., and declaring an emergency.
- S. B. No. 413, A bill to be entitled "An Act amending Section 1 of Chapter 27, Acts of the Fifty-seventh Legislature, First Called Session, to provide that said Act shall be applicable to any city which has outstanding refunding bonds issued pursuant to a plan of composition standing confirmed by a United States District Court under the National Bankruptcy Law, where the ordinance authorizing the issuance of such refunding bonds provides that not less than a fixed rate of tax therein specified shall be levied, assessed and collected each year so long as any of such bonds or interest thereon are outstanding, and declaring an emergency."
- S. B. No. 162, A bill to be entitled "An Act providing for the protection, safety and welfare of students and employees of the respective governing boards and for the protection and policing of the buildings and grounds of the State institutions of higher education of this State; etc., and declaring an emergency."
- S. B. No. 286, A bill to be entitled "An Act amending Section 1, of Ch. 52, Acts of the Regular Session of the Fifty-fourth Legislature, 1954, to provide that after consolidation of an independent school district with one or more independent school districts and/or one or more common school districts and/or one or more rural high school districts and/or any other type of school district, where one of the independent school districts has a scholastic enrollment in excess of five (5) times the combined scholastic enrollment of the other districts consolidated with it, etc., and declaring an emergency."
- S. B. No. 290, A bill to be entitled "An Act transferring control and management of West Texas State University from the Board of Regents, State Senior Colleges, to a new body to be called Board of Regents, West

- Texas State University; etc., and declaring an emergency."
- S. B. No. 2, A bill to be entitled "An Act to be known as "The Medical Assistance Act of 1967" for the purpose of providing Medical Assistance on behalf of needy individuals in the State of Texas; etc., and declaring an emergency."
- S. B. No. 468, A bill to be entitled "An Act reapportioning the 155th Judicial District and making necessary related provisions; amending Chapter 509, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 199(155), Vernon's Texas Civil Statutes); and declaring an emergency."
- S. B. No. 234, A bill to be entitled "An Act relating to detention of mental patients in protective custody in State mental hospitals; amending Section 67, chapter 243, Acts of the 55th Legislature, Regular Session, 1956, (codified as Article 5547-67, Vernon's Texas Civil Statutes); and declaring an emergency."
- S. B. No. 365, A bill to be entitled "An Act authorizing the governing boards of Texas Technological College, Pan American College, West Texas University and the University of Texas System to construct, acquire, extend, improve and equip a utility plant, to issue negotiable revenue bonds for such purposes, etc., and declaring an emergency."

Senate Bill 533 With House Amendment

Senator Reagan called S. B. No. 533 from the President's Table for consideration of the House amendment to the bill. The President laid the bill and the following House amendment before the Senate:

Amendment 1

Amend S. B. No. 533 by adding thereto a new section at the end of Section 4 of the bill, said new section to be known as Section 5, and renumbering all subsequent sections accordingly, said new Section 5 to read as follows:

Section 5. The provisions of this Act shall take effect and be in full force on and after September 1, 1967. And further amend S. B. No. 533

by deleting the phrase "from and after its passage" on line 24 on page 2 of the printed bill, and substituting in lieu thereof the following: "on and after September 1, 1967;"

The House amendment was read.

Senator Reagan moved that the Senate concur in the House amendment.

The motion prevailed.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

> Austin, Texas, April 27, 1967.

To the Senate of the Sixtieth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be District Judge of the 72nd Judicial District, to fill the unexpired term of Victor H. Lindsey, deceased: William R. Shaver of Lubbock, Lubbock County.

Respectfully submitted, JOHN CONNALLY, Governor of Texas

House Bill 446 on Third Reading

The President laid before the Senate as pending business H. B. No. 446 on its third reading and final passage (the bill having been read the third time on Wednesday, April 26, 1967).

Question—Shall H. B. No. 446 be finally passed?

The bill (H. B. No. 446) was then finally passed.

Record of Votes

Senators Parkhouse, Mauzy and Aikin asked to be recorded as voting "Nay" on the final passage of H. B. No. 446.

Notice of Executive Session

Senator Blanchard asked unanimous consent for the Senate to hold an Executive Session at 11:00 o'clock a.m. today.

There was no objection offered.

Senate Bill 410 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 410 was ordered not printed.

Senate Bill 538 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 538 was ordered not printed.

House Bill 766 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent H. B. No. 766 was ordered not printed.

House Bill 470 Ordered Not Printed

On motion of Senator Word and by unanimous consent H. B. No. 470 was ordered not printed.

Senate Bill 576 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 576, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "League Land Municipal Utility District of Galveston County, Texas' prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 577 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 577, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "West End Municipal Utility District of Galveston County, Texas"; prescribing its rights, power, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause, and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 578 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas-31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
	WOLU
Herring	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 578, A bill to be entitled "An Act amending Article 8119 of Chapter 7 of the Revised Civil Statutes of Texas as amended, providing

for the election of Commissioners of Drainage Districts in counties having a population of more than seventyfive thousand and less than ninety thousand inhabitants according to the last preceding or any future Federal census and having one or more Drainage Districts therein and having assessed valuation for County tax purposes of Two Hundred Ninety-five Million (\$295,000,000) Dollars or more and whether such Drainage District has been converted into a conservation and reclamation district or not under the provisions of Section 59 of Article 16 of the Constitution of Texas: Providing that three (3) Drainage Commissioners shall be elected and hold office for a term of two (2) years, such elections to be held on all even numbered years beginning in 1968 and every two years thereafter at the General Election on the first Tuesday after the first Monday in November, 1968, and that the places of the several members of Drainage Commissioners shall be designated as Places Number 1, 2 and 3, and each qualified candidate shall indicate the place for which he desires to file: Incumbent Commissioners seeking re-election must file for the place which they were originally elected: Candidates for all places may reside in any portion of the District: providing a severability clause, and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Leaves of Absence

Senator Jordan was granted leave of absence for today on account of important business on motion of Senator Bates.

Senator Hightower was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Chapter 7 of the Revised Civil Stat- Senator Watson was granted leave utes of Texas as amended, providing of absence for today on account of

important business on motion of Senator Hardeman.

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Patman.

House Bill 406 on Second Reading

On motion of Senator Bates and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 406, A bill to be entitled "An Act revising and rearranging certain provisions of Title 94 "Militia" of the Revised Civil Statutes of Texas relating to the Texas National Guard Armory Board into a new title to be known as Title 97A "National Guard Armory Board" of the Revised Civil Statutes of Texas; providing for the composition of the Texas National Guard Armory Board, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 406 on Third Reading

Senator Bates moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 406 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	$\mathbf{Kennard}$
Bates	Mauzy
Bernal	Moore
Berry	Parkhouse
Blanchard	Patman
Brooks	Ratliff
Christie	Reagan
Cole	Schwartz
Creighton	Strong
Grover	Wade
Hall	Wilson
Hardeman	Word
Hazlewood	,, ,, ,,

Absent-Excused

Connally	Hightower
Harrington	Jordan
Herring	Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas-25

Aikin	Kennard
Bates	Mauzy
Bernal	Moore
Berry	Parkhouse
Blanchard	Patman
Brooks	Ratliff
Christie	Reagan
Cole	Schwartz
Creighton	Strong
Grover	Wade
Hall	Wilson
Hardeman	Word
Hazlewood	11024

Absent—Excused

Connally	Hightower
Harrington	Jordan
Herring	Watson

House Bill 511 on Second Reading

On motion of Senator Bernal and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 511, A bill to be entitled "An Act relating to commitment and admission of mentally ill and mentally retarded persons to community centers; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 511 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 511 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas--24

Aikin	Cole
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Hardeman
Brooks	Hazlewood
Christie	Kennard

Mauzy Schwartz
Moore Strong
Parkhouse Wade
Patman Wilson
Ratliff Word

Nays-1

Reagan

Absent-Excused

Connally Hightower
Harrington Jordan
Herring Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas-25

Aikin Kennard Bates Mauzy Bernal Moore Parkhouse Berry Blanchard Patman Ratliff Brooks Christie Reagan Schwartz Cole Creighton Strong Wade Grover Wilson Hall Hardeman Word Hazlewood

Absent—Excused

Connally Hightower
Harrington Jordan
Herring Watson

Senate Resolution 492

Senator Moore offered the following resolution:

Whereas, The State of Texas is noted for its beauties, and the latest to attain a crown is Mrs. Dorie Damuth of Montgomery County, who, on April 23, 1967, was chosen over eight finalists from throughout the state to become "Mrs. Texas"; and

Whereas, Mrs. Damuth was named "Mrs. Texas" at the 1967 Pageant, which was held at River Plantation in Montgomery County, on Sunday, April 23, 1967, and will represent Texas in the Mrs. America Pageant, to begin in San Diego, California, on May 4 and continue through May 14, 1967; and

Whereas, Contestants and their Mrs. husbands arrived at River Plantation Senate.

on Thursday afternoon, April 20, and began the rigorous schedule which continued without abatement until Sunday, when the winner was announced; the lovely Texas wives and mothers were tested on everything included in homemaking—ironing shirts, preparing a full dinner, undergoing driving tests, grocery shopping, and the like; and

Whereas, Poise and photogenic beauty were under fire in a TV appearance, and each contestant had to present a five-minute demonstration of some creative ability under the watchful eyes of judges; and

Whereas, Mrs. Damuth is the wife of G. C. (Bo) Damuth and the Damuths make their home in Montgomery, where it was no great surprise to friends and neighbors when this classic beauty and exceptional homemaker gained the coveted title of "Mrs. Texas"; and

Whereas, The eyes of Texas will be trained on Mrs. Damuth when she appears in the 1967 Mrs. America Pageant at San Diego, and it is appropriate that the Senate of the 60th Legislature congratulate Mrs. Dorie Damuth and her proud husband, Bo Damuth for the well-deserved acclaim she has received as "Mrs. Texas of 1967"; now, therefore, be it

1967"; now, therefore, be it
Resolved, That the Senate of the
State of Texas express appreciation to
"Mrs. Texas," for the talent, homemaking ability, poise and beauty,
which resulted in her selection to
represent Texas at the Mrs. America
Pageant; and, be it further

Resolved, That a copy of this Resolution be prepared under the Seal of the Senate for Mr. and Mrs. G. C. (Bo) Damuth of Montgomery, as a memento of this happy occasion and as an expression of good wishes from the Senate for her success in the Mrs. America Pageant at San Diego.

The resolution was read and was adopted.

The President appointed the following Escort Committee to escort Mrs. Texas to the President's Rostrum:

Senators Moore, Strong and Hall.

The President presented Senator Moore and he introduced Mrs. Texas to the Members of the Senate.

Mrs. Texas then addressed the Senate.

Executive Session

On motion of Senator Blanchard and by unanimous consent the Senate agreed to hold an Executive Session at 11:00 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nomination of the Governor:

To be Judge of the 72nd Judicial District Court: William R. Shaver of Lubbock, Lubbock County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:12 o'clock a.m.

House Concurrent Resolution 103 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 103, Paying tribute to Lieutenant J. L. Traphagan.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Reports of Standing Committee

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 402, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman. WORD CHRISTIE

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 403, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman. WORD CHRISTIE

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 578, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman. WORD CHRISTIE

House Concurrent Resolution 104 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 104, Commending Private E. M. Walther of the Dallas Fire Department for his exemplary heroism.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 102 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 102, Extending congratulations to E. D. Everitt.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 60, Creating the Texas Commission on Law Enforcement and the Administration of Justice.

S. B. No. 105, A bill to be entitled "An Act amending Article 7150, Vernon's Revised Civil Statutes, 1925, by adding a new section thereto to be known and designated as Section 22, so as to exempt from taxation property of all fraternal organizations for so long as the property is owned and used for charitable, benevolent, religious, and educational purposes, and is not in whole or in part leased out to others or otherwise used with a view to profit, providing for the severability of provisions and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 115 on Second Reading

Senator Bernal asked unanimous consent to suspend the regular order of business and take up H. B. No. 115 for consideration at this time.

There was objection.

Senator Bernal then moved to suspend the regular order of business and take up H. B. No. 115 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin Kennard Mauzy Bates Bernal Moore Berry Patman Blanchard Ratliff Brooks Schwartz Christie Strong Creighton Wade Hall Wilson Hardeman Word

Nays-3

Grover Parkhouse Reagan

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower
Harrington Jordan
Herring Watson

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 115, A bill to be entitled "An Act to amend Section 4 of Chapter 129, page 219, Acts 56th Legislature, Regular Session, 1959, so as to eliminate the maximum student requirement for entering classes at The University of Texas South Texas Medical School; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 115 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin Mauzy Bates Moore Bernal Parkhouse Berry Patman Blanchard Ratliff Brooks Reagan Christie Schwartz Creighton Strong Grover Wade Hall Wilson Hardeman Word Kennard

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower
Harrington Jordan
Herring Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas-22

Kennard
Mauzy
\mathbf{Moore}
Patman
Ratliff
Reagan
Schwartz
Strong
Wade
Wilson
\mathbf{Word}

Nays—1

Parkhouse

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower
Harrington Jordan
Herring Watson

House Bill 470 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 470, A bill to be entitled "An Act amending Section 2, Article 2615d, Revised Civil Statutes of Texas, 1925, as added by Section 1, Chapter 27, Acts of the 51st Legislature, Regular Session, 1949, and as amended, to remove any prohibition against offering college credit courses at the adjunct of Texas A&M University located in Kimble County; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 470 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 32 and Senate Rule 38 requiring bills to be read on three several days be suspended and that H. B. No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-23

Aikin	Mauzy
Bates	Moore
Bernal	Parkhouse
Berry	Patman
Blanchard	Ratliff
Brooks	Reagan
Christie	Schwartz
Creighton	Strong
Grover	Wade
Hall	\mathbf{Wilson}
Hardeman	Word
Kennard	

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower
Harrington Jordan
Herring Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 617 on Second Reading

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 617, A bill to be entitled "An Act increasing commercial fisherman's license fees and dedicating a portion of the fees to programs for the market promotion of seafoods; amending Subsection 1, Section 3, Chapter 29, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 934a, Vernon's Texas Penal Code); amending Section 2, Chapter 68, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 934b-2, Vernon's Texas Penal Code); and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 617 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 617 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-22

Aikin Bates Bernal Berry Blanchard Brooks Christie Creighton Grover Hardeman	Mauzy Moore Parkhouse Patman Ratliff Reagan Schwartz Strong Wade Wilson
Hardeman Kennard	Wilson Word

Nays-1

Hall

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower Harrington Jordan Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hall asked to be recorded as voting "Nay" on the final passage of the bill.

House Bill 484 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 484, A bill to be entitled "An Act amending Article 2654e, Revised Civil Statutes of Texas, 1925, as added by Section 1, Chapter 25, Acts of the 47th Legislature, Regular Session, 1941, as amended, to provide for the exemption of 35 native-born students from a Latin American country designated by the State Department of the United States as a partner with Texas in the Alliance for Progress from payment of tuition fees to institutions of collegiate rank; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following Committee Amendment to the bill:

Amend H. B. No. 484 by striking out in the last sentence of subsection (2) of Section 1 the following:

"as a partner with Texas in the Alliance for Progress"

The Committee Amendment was read and was adopted.

Senator Aikin offered the following Committee Amendment to the bill:

Amend the caption of H. B. No. 484 by striking out after the word Education in line 6 the following:

"as a partner with Texas in the Alliance for Progress"

The Committee Amendment was read and was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 484 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 484 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Mauzy
Bates	Moore
Bernal	Parkhouse
Berry	Patman
Blanchard	Ratliff
Brooks	Reagan
Christie	Schwartz
Creighton	Strong
Grover	Wade
Hall	\mathbf{Wilson}
Hardeman	\mathbf{Word}
Kennard	

Absent

Cole Hazlewood

Absent-Excused

Connally Hightower
Harrington Jordan
Herring Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas-23

Aikin	Mauzy
Bates	Moore
Bernal	Parkhouse
Berry	Patman
Blanchard	Ratliff
Brooks	Reagan
Christie	$S_{chwartz}$
Creighton	Strong
Grover	Wade
Hall	Wilson
Hardeman	\mathbf{Word}
Kennard	

Absent

Cole

Hazlewood

Absent—Excused

Connally Hightower Harrington Jordan Watson

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

- H. B. No. 728, to Committee on State Affairs.
- H. B. No. 936, to Committee on Education.

Welcome and Congratulatory Resolutions

- S. R. No. 489—By Senator Herring: Extending congratulations to Dr. John W. Hayes.
- S. R. No. 490—By Senator Hall: Extending welcome to Vocational Training Class of Pilot Point High School.
- S. R. No. 491—By Senator Hall: Extending welcome to Norman E. Wreyford and Norman E. Wreyford, Jr.
- S. R. No. 493—By Senator Hall: Designating Norman E. Wreyford, Jr. as Page for the State Senate of Texas.

S. R. No. 494—By Senator Hall: Extending welcome to Mr. and Mrs. J. D. Griffin.

Adjournment

On motion of Senator Hardeman the Senate at 11:37 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, May 1, 1967.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 468, "An Act reapportioning the 155th Judicial District and making necessary related provisions; amending Chapter 509, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 199(155), Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 234, "An Act relating to detention of mental patients in protective custody in state mental hospitals; amending Section 67, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (codified as Article 5547-67, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 286, "An Act amending Section 1 of Chapter 52, Acts of the Regular Session of the 54th Legislature, 1955, to provide that after consolidation of an independent school district with one or more independent school districts and/or one or more common school districts and/or one or more rural high school districts and/or any other type of school district, where one of the independent school districts has a scholastic enrollment in excess of five (5) times the combined scholastic enrollment of the other districts consolidated with it, the members of the Board of Trustees of the larger district shall serve as the Board of Trustees of combined district until their respective terms expire and their successors are elected; repealing all laws and parts of laws in conflict herewith to the extent of the conflict; providing said Act shall be cumulative of other existing laws relative to the consolidation of independent school districts; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 290, "An Act transferring control and management of West Texas State University from the Board of Regents, State Senior Colleges, to a new body to be called Board of Regents, West Texas State University; providing for the creation of a Governing Board to be appointed by the Governor and confirmed by the Senate with residential limitations as to board members and their length of term of office; providing for the filling of vacancies occurring on the Governing Board and removal for certain causes; providing for the qualifying

of appointees to the board, and its organization; providing for the work and activities to be pursued in said university and subject to actions of the Governing Board; providing all powers, duties, rights, obligations, and functions of the Board of Regents, State Senior Colleges as these relate to West Texas State University shall be vested in and/or performed by the new Board of Regents, West Texas State University on the effective date of this Act; providing a repealing clause; and declaring an emergency." has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 162, "An Act providing for the protection, safety and welfare of students and employees of the respective governing boards and for the protection and policing of the buildings and grounds of the state institutions of higher education including public junior colleges of this state; authorizing the promulgation of rules and regulations and providing for their enforcement; providing for peace officers and prescribing their duties and powers; providing for the en-forcement of this Act by such commissioned officers of each institution; prescribing punishments; prohibiting trespasses and damage to property; regulating and controlling traffic and parking and the use of parking facilities; providing for the issuance of vehicle identification insignia; providing for jurisdiction over offenses; repealing all laws and parts of laws in conflict herewith; providing a savings clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-

grossed and Enrolled Bills, to which was referred:

S. B. No. 413, "An Act amending Section 1 of Chapter 27, Acts of the 57th Legislature, First Called Session, to provide that said Act shall be applicable to any city which has outstanding refunding bonds adjudicated to be valid by a decree of the Federal Court, or issued pursuant to a plan of composition confirmed by a United States District Court under the National Bankruptcy Laws, where the ordinance authorizing the issuance of such refunding bonds provides that not less than a fixed rate of tax therein specified shall be levied, assessed and collected each year so long as any of such bonds or interest thereon are outstanding; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas, April 27, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 365, "An Act authorizing e governing boards of Texas Technological College, Pan American College, West Texas State University, and The University of Texas System to construct, acquire, extend, improve and equip a utility plant or plants, to issue negotiable revenue bonds for such purposes, to pledge revenues to the payment of such bonds, to issue refunding bonds, declaring such bonds to be legal investments and qualifying same for security of public funds, relating other matters providing thereto; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas. April 27, 1967.

Hon. Preston Smith, President of the Senate.

was referred:

S. B. No. 2, "An Act to be known as "The Medical Assistance Act of 1967" for the purpose of providing Medical Assistance on behalf of needy individuals in the State of Texas: expressing the Legislative intent; designating the State Department of Public Welfare as the State Department to administer such Act; providing for the cooperation of the State Department with the Department of Health, Education, and Welfare and/or any other Federal Agencies or Departments authorized to provide Medical Assistance on behalf of needy individuals; authorizing the acceptance and the expenditure of Federal funds for the purpose of carrying out the provisions of this Act; authorizing the State Department to administer and expend state funds allocated and appropriated for purposes; authorizing the transfer of assistance funds to the "Medical Assistance Fund"; providing for the appointment of a Medical Care Advisory Committee and other advisory committees as necessary; providing for such methods administration as may be necessary for the proper and efficient operation of the program; authorizing paid educational leave to employees; authorizing research and demonstration projects; authorizing the State Department to enter into cooperative agreements with other State Agencies; authorizing the State Department to promulgate reasonable rules and regulations for the purpose of carrying out the provisions of this Act; making Medical Assistance available on behalf of needy individuals and providing for the payment of same; authorizing the State Department to determine the scope, duration, and amount of Medical Assistance to be made available on behalf of needy individuals; providing for appeals; providing for the confidentiality of records of individuals; providing for the right of subrogation; providing for the processing of fraud cases and penalties therefor; amending Section 2 of Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended, by amending Subsection (7); fixing the effective dates of the provisions of this Act; providing a repealing clause with Sir: We, your Committee on En- specific reference to inconsistent grossed and Enrolled Bills, to which legislation, a savings clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

April 27, 1967

S. B. No. 468

S. B. No. 413

S. B. No. 365

S. B. No. 162

S. B. No. 286

S. B. No. 234

S. B. No. 290

S. B. No.

S. J. R. No. 3

FIFTY-THIRD DAY

(Monday, May 1, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin Herring Hightower Bates Bernal Jordan Berry Kennard Blanchard Mauzy Brooks Parkhouse Christie Patman Ratliff Cole Connally Reagan Creighton Schwartz Wade Grover Hall Watson Hardeman Wilson Word Harrington Hazlewood

Absent—Excused

Moore

Strong

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 27, 1967, was dispensed with and the Journal was approved.

Leaves of Absence

of absence for today and the remainder of the week on account of illness on motion of Senator Blanch-

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Christie.

Notice of Local and Uncontested Bills Calendar

The President announced that on motion of Senator Hall and by unanimous consent the Senate would hold a session for the consideration of a Local and Uncontested Bills Calendar on Thursday, May 4, 1967 at 9:00 o'clock a.m.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 546, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter (codified as Article 8280-324, V.A.C.S.) to provide for the sale of bonds by Clear Woods Improvement District, etc., and declaring an emergency."

H. B. No. 679, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as last amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Navarro County to the list of counties regulated; and declaring an emergency."

H. B. No. 585, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in DeWitt County, etc., and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act abolishing the occupation tax on nine- and tenpin alleys; repealing Subdivision 8, Article 19.01, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 57, A bill to be entitled "An Act repealing Article 7545, Revised Civil Statutes of Texas, 1925 relating to the right to appropriate Senator Strong was granted leave the ordinary flow, underflow, or flood-